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THIS MESSAGE HAS 47 PAGES INCLUDING THIS SHEET

TO: Commissioner for Patents

FAX NO.: 703-872-9306

FROM: Keith Taboada, Esq.

DATE: October 12, 2004

MATTER: Serial No. 10/055,310 Filed: January 22, 2002

DOCKET NO.: 4150D1/ETCH/DRIE/JB1

APPLICANT: Noorbakhsh, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input checked="" type="checkbox"/> Fee Transmittal (2 copies)
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (____ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input type="checkbox"/> Amendment	dated <u>October 9, 2004</u>
<input checked="" type="checkbox"/> Response to Office Action (44 pages)	

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Allyson M. DeVesty  
Name of person signing this certificate

Allyson M. DeVesty 10-12-04  
Signature and date

308353

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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 430**Complete if Known**

Application Number	10/055,310
Filing Date	January 22, 2002
First Named Inventor	Noorbakhsh, et al.
Examiner Name	Luz L. Alejandro Mulero
Art Unit	1763
Attorney Docket No.	4150D1/ETCH/DRIE/JB1

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☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
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The Director is authorized to: (check all that apply)

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**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	650	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims	-20	=	0	X		=	0
Multiple Dependent Claims	-3	=	0	X		=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	430
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	785	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or release)	
1502	490	2502	245	Design issue fee	
1503	580	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 430)

**SUBMITTED BY****Complete if applicable**

Name (Print/Type)

Keith Taborda, Esq.

Registration No. (Attorney/Agent)

45,150

Telephone

(732) 530-9404

Signature

Date

October 12, 2004

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RESPONSE TO OFFICE ACTION  
Serial No. 10/055,310  
Page 1 of 44

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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OCT 12 2004

PATENT APPLICATION

Applicant: Noorbakhsh, et al.

Case: 4150D1/ETCH/DRIE/JB1

Serial No.: 10/055,310

Filed: January 22, 2002

Examiner: Alejandro Mulero, Luz L.

Group Art Unit: 1763

Confirmation No.: 9294

Title: TEMPERATURE CONTROLLED SEMICONDUCTOR PROCESSING  
CHAMBER LINER

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

**RESPONSE TO OFFICE ACTION DATED MAY 10, 2004**

Although the Applicants have filed a Notice of Appeal, the Applicants have elected to respond to the Non-Final Office Action dated May 10, 2004, having a shortened statutory period for response set to expire on August 10, 2004, in lieu of filing an Appeal Brief. The Applicants request entry of this response and reconsideration of the claims pending in the application for reasons discussed below. As the Patent Office was closed October 10-11, 2004, the Applicants believe solely a two-month extension of time is due. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 the fee of \$430.00 for a two-month extension of time fee due in connection with this response. The Applicants additionally authorize the Commissioner to charge counsel's Deposit Account for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper. **Remarks/Arguments** begin on page 9 of this paper.

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